

AFFIDAVIT

Your affiant is a Special Agent with the U.S Department of Homeland Security, Homeland Security of Investigations (HSI), assigned to the Resident Agent in Charge (RAC) Grand Forks, ND office. Your affiant has been employed as an HSI Special Agent for approximately five (5) years. Your affiant has not included each and every fact known to him regarding this investigation in this affidavit, but only those facts relating specifically to whether there is probable cause to believe that, unless otherwise stated, the following individual identified below, committed a violation of Title 18, U.S.C. §§ 2251(a) and 2252(a)(4)(B).

1. This affidavit is based on information supplied to Special Agent (SA) Timothy Litzinger from other law enforcement agencies as well as information obtained using investigative methods conducted by SA Timothy Litzinger.
2. According to Wahpeton, ND, Police Department reports, in the summer of 2013 Stephanie Schmitt lived with Dustin COLEMAN at his residence located at 2102 - 3 ½ St N Wahpeton, ND. When Schmitt was moving out of COLEMAN's residence, she inadvertently packed into her belongings a Vizio laptop computer, two (2) Seagate hard drives, and an Apple iPod Touch. The aforementioned items belonged to COLEMAN. Shortly thereafter, Schmitt reported receiving a phone call from COLEMAN who told her that the media she inadvertently packed in her belongings was his "life." After receiving the phone call from COLEMAN, Schmitt stated to law enforcement that she got "curious" and decided to look at the Seagate external hard drives. Schmitt reported that when she viewed the Seagate external hard drive that she found child pornography to include nude

images of A.H. Schmitt is acquainted with A.H. and knew that A.H. was a minor. After Schmitt discovered the images, she stated to law enforcement that she contacted A.H. and showed her the images.

3. On August 25, 2013, A.H. (DOB: xx/xx/1997, minor victim) contacted the Wahpeton, ND, Police Department (WPD) to report that she had been contacted by Stephanie Schmitt. A.H. stated to law enforcement that Schmitt told her that Schmitt had COLEMAN's laptop computer which contained nude images of A.H. passed out and being touched by COLEMAN as well as other images that Schmitt believed contain child pornography.
4. On August 26, 2013, A.H. stated to WPD Officer Brittany Marhol that she and her boyfriend, J.P. met with Stephanie Schmitt and Alex Howard at the Wal-Mart in Fergus Falls, MN, to view the images of herself on COLEMAN's laptop computer and Seagate hard drives. A.H. stated she saw nude images of herself with a male hand touching her. A.H. stated that there were other images of young kids on the hard drive, some approximately three (3) years old.
5. In the meantime, on August 26, 2013, Stephanie Schmitt met with WPD Officer Marohl during which time she turned over the Vizio laptop computer, two (2) Seagate external hard drives, and an Apple iPod Touch. As previously mentioned in paragraph 2, Stephanie Schmitt stated to WPD Officer Marhol that while moving out of COLEMAN's house, the aforementioned items got mixed in with her belongings. Stephanie Schmitt stated that after moving out of COLEMAN's house, she received a phone call from COLEMAN and COLEMAN stated that his

laptop computer and his hard drives were his “life”. Schmitt stated she got “curious” and decided to look at the Seagate external hard drives. Schmitt stated that she found child pornography to include nude images of A.H.

6. On August 27, 2013, WPD Officer Marhol sought and obtained a North Dakota State search warrant to search COLEMAN’s Vizio laptop computer, the two (2) Seagate hard drives, and the Apple iPod Touch for the identification of potential sexual assault victims as well as child pornography.
7. On August 29, 2013, WPD Sergeant Matthew Anderson and WPD Officer Brittany Marhol conducted a forensic preview of one of the Seagate hard drives. Sergeant Anderson and Officer Marhol located a folder titled, “New Folder (3)”. According to Officer Marhol “New Folder (3)” contained a subfolder titled “New Folder 2” and within “New Folder 2” was a folder titled “A.H.” Inside the folder named “A.H.,” Officer Marhol reported seeing images depicting A.H. nude from the waist down. One such image depicts A.H. nude from the waist down with an unidentified finger touching her unclothed vagina and another such image depicts an unidentified hand moving A.H.’s underwear away from her body exposing her vagina.
8. On August 29, 2013, WPD Sergeant Matthew Anderson interviewed COLEMAN. COLEMAN identified the Vizio laptop computer that was in the custody of WPD as his. COLEMAN stated that he and Schmitt shared the Vizio laptop computer. COLEMAN stated that the two (2) Seagate hard drives that were in the custody of WPD appear (look like his) to be his. COLEMAN stated that he went through a

phase in his life where he would download child pornography onto his Seagate hard drives but stated that he thought he deleted all of it. COLEMAN stated he is ashamed of what is on his external hard drives and that if he had the chance that he would smash the hard drives. COLEMAN stated that he used LimeWire to search for and download child pornography. COLEMAN admitted that when he looked at child pornography, that he would sexually gratify himself. COLEMAN admitted that he took nude photographs of A.H. COLEMAN stated he finds sixteen (16) year old girls attractive and maybe some thirteen (13) year old girls attractive.

9. On August 31, 2013, WPD Sergeant Anderson and Officer Marhol interviewed A.H. A.H. identified nude image files located in the folder titled "A.H." on the Seagate external hard drive as herself. A.H. stated the nude photographs were taken at COLEMAN's mother's house in Wahpeton, ND. A.H. stated that she never gave COLEMAN permission to photograph her nude or touch her vagina. A.H. stated to law enforcement that she was approximately fourteen (14) years old when the nude images were taken.
10. WPD turned over the Vizio laptop computer, the two (2) Seagate hard drives, and the Apple iPod Touch to the BCI to conduct a complete forensic examination. BCI Special Agent (SA) James Shaw conducted a preliminary forensic examination of the Seagate external hard drive, serial No. NA056H9N, and located the nude image files of A.H.

11. SA Shaw conducted a preliminary forensic examination of the Apple iPod Touch;

SA Shaw located numerous image files that appear to contain child pornography.

SA Shaw also located Kik Messenger chat logs. Kik Messenger is a mobile messaging application for smartphones or other mobile communication device, i.e., an Apple iPod Touch. For a person to communicate with others with the Kik application; both parties must have downloaded the Kik application to their mobile device. SA Shaw located chats where the Kik username

“ImJusBeinMeh” was extorting other Kik users for nude photographs of themselves. “ImJusBeinMeh” would tell the Kik users that he already had nude images of them and that they needed to send him more and if they wouldn’t he would threaten to send the nude photographs to their parents or post them on the Internet for everyone to see. During one such chat, the Kik username “A.B.” threatened to kill herself after being extorted for numerous nude images.

12. SA Shaw located an image file on the iPod Touch titled, “IMG_3794.jpg.”

“IMG_3794.jpg” depicts a minor female posing completely nude with her legs spread exposing her vagina. According to SA Shaw, “IMG_3794.jpg” is associated with chat logs that appear to have been sent by Kik user “A.B.”.

Through online investigation, SA Shaw identified the Kik user “A.B.” as A.F. of Ellinwood, KS.

13. On September 18, 2013, HSI Wichita SA Erin Russell and Wichita, KS, Police

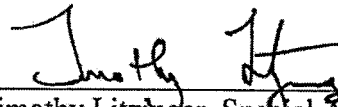
Department Detective Jennifer Wright interviewed A.F. (DOB: xx/xx/2000, minor victim) in Ellinwood, KS. A.F. stated that in July 2013 she was communicating via Kik Messenger with a male who claimed to be seventeen (17)

years old. A.F. stated that she was communicating with a person on Kik who had the phrase “judgeme” as part of his screen name. A.F. stated that she was also communicating with a person on Kik who had the phrase “zomgfersure” as part of his screen name. A.F. stated that she believed that “judgeme” and “zomgfersure” were the same person using two different screen names. A.F. stated that he told her if she didn’t send him a nude photograph of herself, that he would rape her younger sister. A.F. stated that she sent him one (1) nude image of herself and then after that he stated that if she didn’t send more nude images he was going to send the nude images of her to her brother and another male with the last name of Fxxxx. A.F. stated that after sending nude images to this person, he continued to ask for more and in response she told him that she was going to kill herself. A.F. stated to SA Russell that she had no intention of killing herself but rather made the comment in the hope that he would no longer demand nude images of her. A.F. identified several nude images of herself that were recovered from COLEMAN’s Apple iPod Touch. A.F. stated that she produced the nude images of herself under the direction and duress of the Kik user with whom she was communicating. A.F. stated to law enforcement that she is approximately thirteen (13) years of age in “IMG_3794.jpg”.

14. On October 1, 2013, HSI SA’s Timothy Litzinger and Brian Black interviewed COLEMAN. COLEMAN stated that he uses the Kik Messenger service and that he used multiple Kik user names to include “dontjudgeme” and zomgfersure”. COLEMAN denied ever chatting with or requesting nude photographs of “A.B.” on Kik. COLEMAN stated that his Apple iPod Touch was stolen but could not

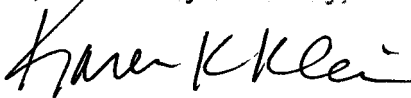
remember when it was stolen. COLEMAN stated that he never used Kik on his Apple iPod Touch. COLEMAN stated that he does have child pornography on his external hard drives.

15. SA Shaw is in the process of completing a complete forensic review of the Vizio laptop computer, two (2) Seagate external hard drives, and the Apple iPod Touch. Although, SA Shaw has not completed his complete forensic review, SA Shaw has located many image and video files believed to contain child pornography and anticipates locating additional child pornographic files. One such image file titled "d10d736d3703711aaef608212826f36a," depicts a prepubescent child, approximately four (4) to six (6) years old lying on his back nude from the waist down. The prepubescent child has his legs pulled back toward his chest and his hands are spreading apart his buttocks exposing his anus. The focal point of the images is on the prepubescent child's scrotum and anus.



Timothy Litzinger, Special Agent
U.S. Department of Homeland
Homeland Security Investigations

SUBSCRIBED and SWORN to me on
this, the 17th day of January, 2014 *by telephone.*



UNITED STATES MAGISTRATE JUDGE
KAREN K. KLEIN